

City Council of the City of New Castle
Public Hearing at Town Hall
201 Delaware Street – New Castle
Thursday – October 24, 2013 – 6:00 p.m.

Call to order: 6:01 pm

Roll Call:

Councilperson Vannucci
Councilperson Petty
Council President Barthel
Councilperson Cochran
Councilperson Megginson

Also present:

Daniel Losco, City Solicitor

Public hearing on Ordinance No. 491 to amend Ordinance 168 (Code Section - Ch:58 § 58-2)
that addresses Planning Commission Members appointment; term; removal.

The second reading of Ordinance No.491 was completed by President Barthel.

President Barthel explained the importance of making the changes to the ordinance. The commission members are appointed by the mayor and approved by the City Council. Council sets the commission's budget and gives direction on day-to-day operations of the commission. All products of the Planning Commission are presented to City Council. Items that are considered by the Planning Commission are serious issues for the entire community. Council has responsibility to make sure that those that serve on the commission are trustworthy and are acting on behalf of the City. This change to the ordinance does not impact the process by which the mayor makes appointments. The mayor may speak for or against any addition or removal under consideration.

Dorsey Fisk of East 3rd Street, a member of the Planning Commission commented: When a member of the Planning Commission is under consideration for removal for cause, that person must be given an opportunity to respond before removal. She supplied copies of an email to the members of City Council written to Mr. Smyth regarding her recollection of what happened. She reiterated her position that prior to removal an opportunity must be given to respond.

Daniel Losco, the City Solicitor responded: There will be a resolution for removal presented at a public City Council meeting and anyone including the member to be removed can respond at that time.

Jack Klingmeyer of 9th Street, a former mayor commented: He has appointed many members to the Planning Commission and never had any problems. He asked about what

caused the change in the ordinance. He cited protections for city employees under the union rules that provide for a public hearing. He is curious to know what motivated this action.

Michael Heyman of East 2nd Street commented: During the pre-election debates, Mr. Megginson said that there is diversity of opinion on issues but then council comes together. He hopes that the purpose of the change to this ordinance is not intended to stifle the voice of any members. Diversity of voices makes our town strong. To silence any voice is un-American and does nothing for our town.

President Barthel expressed agreement with Mr. Heyman's comments.

Motion to adjourn at 6:10 pm by Councilperson Megginson, seconded by Councilperson Petty, and passed unanimously.

Respectfully submitted,

Janet E. Wurtzel
Clerk of the City of New Castle